

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:07-00029

AMOS ELWOOD BARKER

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On April 25, 2018, the United States of America appeared by Erik S. Goes, Assistant United States Attorney, and the defendant, Amos Elwood Barker, appeared in person and by his counsel, Gregory J. Campbell, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Kara Dills. The defendant commenced a 42-month term of supervised release in this action on January 17, 2018, as more fully set forth in the Supervised Release Revocation and Judgment Order entered by the court on August 24, 2017.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant used and possessed cocaine as evidenced by positive urine specimens submitted by him on February 14 and 28, 2018, the defendant having admitted to the probation officer that he used two grams of cocaine base prior to the February 28, 2018, submission; and (2) the defendant failed to abide by the special condition that he spend a period of six months in a community confinement center inasmuch as he entered Dismas Charities on January 18, 2018, and was discharged on February 26, 2018, after threatening another resident with physical violence; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

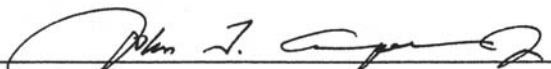
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32(a)(1)(B) and (C) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of EIGHT (8) MONTHS. Restitution is hereby reimposed in the amount of \$30,132.14.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: May 2, 2018



John T. Copenhaver, Jr.
United States District Judge